

## DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DEVICE FOR SECURING PAPERS, SHEETS OF MATERIAL, CLOTH, ETC.

the specification of which:  
(check one)

  X   is attached hereto.

           was filed on                                      as

Application Serial No.:

and was amended:

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International Application which designated at least one country other than the United States, listed below. I have also identified below any foreign application for patent or inventor's certificate, or PCT International Application having a filing date before that of the earliest application from which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u>	<u>No</u>
<u>          </u>	<u>                                    </u>	<u>                                    </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>                                    </u>	<u>                                    </u>	<u>          </u>	<u>          </u>
<u>          </u>	<u>                                    </u>	<u>                                    </u>	<u>          </u>	<u>          </u>

*I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:*

<u>Provisional Application No.</u>	<u>Filing Date</u>	<u>Status</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

*I hereby claim the benefits under Title 35, United States Code, Section 120 of any United States Application(s), or Section 365(c) of any PCT International Application(s) designating the United States listed below. Insofar as this application discloses and claims subject matter in addition to that disclosed in any such prior Application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56, which became available between the filing date(s) of such prior Application(s) and the national or PCT international filing date of this application:*

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

*And I hereby appoint*

Christopher C. Dunham (Reg. No. 22,031); Ivan S. Kavrukov (Reg. No. 25,161); Norman H. Zivin (Reg. No. 25,385); John P. White (Reg. No. 28,678); Jay H. Maioli (Reg. No. 27,213); William E. Pelton (Reg. No. 25,702); Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Wendy E. Miller (Reg. No. 35,615); Richard S. Milner (Reg. No. 33,970); Robert T. Maldonado (Reg. No. 38,232); Richard F. Jaworski (Reg. No. 33,515); Paul Teng (Reg. No. 40,837); Alan J. Morrison (Reg. No. 37,399); Pedro C. Fernandez (Reg. No. 41,741); and Gary J. Gershik (Reg. No. 39,992)

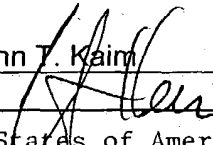
*and each of them, all c/o Cooper & Dunham LLP of 1185 Avenue of the Americas, New York, New York 10036, my attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office*

connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to:

Paul Teng  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
New York, New York 10036  
Tel. (212) 278-0400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or  
first joint inventor: John T. Kaim  
Inventor's signature:  Date of signature: 7-2-03  
Citizenship: United States of America  
Residence: 12 Pearl Street, Camden, Maine 04843  
Post Office Address: Same as Residence

Full name of  
joint inventor(if any): \_\_\_\_\_  
Inventor's signature \_\_\_\_\_ Date of signature \_\_\_\_\_  
Citizenship \_\_\_\_\_  
Residence \_\_\_\_\_  
Post Office Address \_\_\_\_\_

Applicant or Patentee: John T. Kaim  
Serial or Patent No.: not yet known  
Filed or Issued: concurrently herewith  
Title of Invention or Patent: DEVICE FOR SECURING PAPERS, SHEETS OF MATERIAL,  
CLOTH, ETC.

**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(c)  
AND § 1.27(a)(1) - PERSON**

As a below named inventor, I hereby declare that I qualify as a person as defined in 37 C.F.R. § 1.27(a)(1)<sup>b</sup> for purposes of paying reduced fees under 35 U.S.C. § 41(a) and § 41(b), with regard to the invention entitled:

DEVICE FOR SECURING PAPERS, SHEETS OF MATERIAL, CLOTH, ETC.

by inventor(s) John T. Kaim

described in:

☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_ filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_ issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed, and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as a person under 37 C.F.R. § 1.27(a)(1)<sup>b</sup>, any concern which could not qualify as a small business concern under 37 C.F.R. § 1.27(a)(2)<sup>b</sup> or as a nonprofit organization under 37 C.F.R. § 1.27(a)(3)<sup>b</sup>.

If I have assigned, granted, conveyed, or licensed, or if I am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention to any person, concern, or organization, each person, concern or organization is listed below.<sup>a</sup>

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

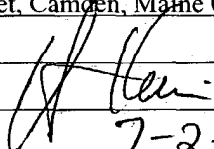
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 C.F.R. § 1.27(g)(2)<sup>c</sup>.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the

application, any patent issuing thereon, or any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Inventor: John T. Kaim

Address: 12 Pearl Street, Camden, Maine 04843

Signature of Inventor:  \_\_\_\_\_

Date of Signature: 7-2-03

37 C.F.R. §§ 1.27(a)(1), 1.27(a)(2), 1.27(a)(3)

(a)(1) Person. A person, as used in paragraph (c) of this section, means any inventor or other individual (e.g., an individual to whom an inventor has transferred some rights in the invention), who has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention. An inventor or other individual who has transferred some rights, or is under an obligation to transfer some rights in the invention to one or more parties, can also qualify for small entity status if all the parties who have had rights in the invention transferred to them also qualify for small entity status either as a person, small business concern, or nonprofit organization under this section.

(a)(2) Small business concern. A small business concern, as used in paragraph (c) of this section, means any business concern that:

- (i) Has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person, concern, or organization which would not qualify for small entity status as a person, small business concern, or nonprofit organization.
- (ii) Meets the standards set forth in 13 CFR part 121 to be eligible for reduced patent fees. Questions related to standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, S.W., Washington, D.C. 20416.

(a)(3) Nonprofit Organization. A nonprofit organization, as used in paragraph (c) of this section, means any nonprofit organization that:

- (i) Has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person, concern, or organization which would not qualify as a person, small business concern, or a nonprofit organization, and
- (ii) Is either:
  - (A) A university or other institution of higher education located in any country;
  - (B) An organization of the type described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) and exempt from taxation under section 501(a) of the Internal Revenue Code (26 U.S.C. 501(a));
  - (C) Any nonprofit scientific or educational organization qualified under a nonprofit organization statute of a state of this country (35 U.S.C. 201(i)); or
  - (D) Any nonprofit organization located in a foreign country which would qualify as a nonprofit organization under paragraphs (a)(3)(ii)(B) of this section or (a)(3)(ii)(C) of this section if it were located in this country.

13 C.F.R. § 121.802 What size standards are applicable to reduced patent fees programs?

A concern eligible for reduced patent fees is one:

- (a) Whose number of employees, including affiliates, does not exceed 500 persons; and
- (b) Which has not assigned, granted, conveyed, or licensed (and is under no obligation to do so) any rights in the invention to any person who made it and could not be classified as an independent inventor, or to any concern which would not qualify as a non-profit organization or a small business concern under this section.

37 C.F.R. §1.27(g)(2)

(2) Notification of loss of entitlement to small entity status is required when issue and maintenance fees are due. Notification of a loss of entitlement to small entity status must be filed in the application or patent prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity as defined in paragraph (a) of this section is no longer appropriate. The notification that small entity status is no longer appropriate must be signed by a party identified in § 1.33(b). Payment of a fee in other than the small entity amount is not sufficient notification that small entity status is no longer appropriate.